

MOTION BY SUPERVISOR KATHRYN BARGER

November 20, 2018

JUST CAUSE EVICTIONS - RENT STABILIZATION ORDINANCE

A significant component of the recently adopted temporary Rent Stabilization Ordinance (Ordinance) included a provision to enact “Just Cause Evictions.” Just Cause Evictions restrict landlords to evicting tenants based on a specific criteria. The criteria in our Ordinance restricts Just Cause Evictions to the following:

1. Non-payment of rent
2. Breach of material lease terms
3. Causing or permitting a nuisance
4. Using the residence for an unlawful purpose
5. Owner move-ins
6. Withdrawing property from the rental market pursuant to the Ellis Act

Numerous property owners and landlord associations have expressed concerns that Item 3 listed above does not provide sufficient flexibility to evict nuisance tenants that create a burden on the landlord and negatively impact the quality of life for the

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SOLIS	_____
RIDLEY-THOMAS	_____
HAHN	_____
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surrounding tenants. Specifically, they contend that those tenants who have resided on the premises for a year without presenting nuisance issues are likely to remain good tenants and good neighbors to the surrounding units. Thus, they have repeatedly urged that the Just Cause Eviction provision apply strictly to tenants after one year of tenancy.

This issue appears to point to the predictability of a tenants' behavior based on their behavior in year one. In other words, landlords are more concerned about the behavior of new tenants which can be overcome over a period of a year.

The validity of this concern and the pros and cons of such a policy should be objectively analyzed. Such research and analysis can better inform the Board when we consider extending the temporary Ordinance or replacing it with a permanent ordinance.

I, THEREFORE MOVE that the Board of Supervisors direct the Department of Business and Consumer Affairs and the Community Development Commission to report back in 60 days with a thorough analysis of having the Just Cause Eviction section of the Rent Stabilization Ordinance apply to tenants after one year of tenancy.

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SUP:KB:am